

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ASTRAZENECA PHARMACEUTICALS LP,  
ASTRAZENECA UK LIMITED,  
IPR PHARMACEUTICALS, INC., and  
SHIONOGI SEIYAKU KABUSHIKI KAISHA,

Plaintiffs,

v.

SANDOZ INC.

Defendant.

Civil Action No.: 07-807-JJF-LPS

**STIPULATION AND ORDER DISMISSING DEFENDANT'S COUNTERCLAIM  
NOS. 4-9 AND REQUESTS FOR RELIEF RELATING TO  
U.S. PATENT NOS. 6,316,460; 6,858,618; AND 6,589,959**

IT IS HEREBY STIPULATED AND AGREED by and between all Plaintiffs, AstraZeneca Pharmaceuticals LP, AstraZeneca UK Ltd., IPR Pharmaceuticals, Inc., and Shionogi Seiyaku Kabushiki Kaisha, and Defendant Sandoz Inc., through their undersigned counsel and subject to approval of the Court, that Defendant's Counterclaim Nos. 4-9 and Requests for Relief relating to U.S. Patent Nos. 6,316,460; 6,858,618; and 6,589,959 in Answer, Affirmative Defenses and Counterclaims of Defendant Sandoz, Inc. (D.I. 12) are hereby dismissed without prejudice under Fed. R. Civ. P. 41(a).

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| <u>/s/ Mary W. Bourke</u><br>Mary W. Bourke (#2356)<br>CONNOLLY BOVE LODGE & HUTZ LLP<br>1007 N. Orange Street<br>Wilmington, DE 19899<br>Telephone: (302) 658-9141<br>Facsimile: (302) 658-5614<br><i>Attorneys for Plaintiffs</i><br><br>Dated: May 21, 2008 | <u>/s/ George H. Seitz</u><br>George H. Seitz, III, Esq. (No. 667)<br>Patricia P. McGonigle, Esq. (No. 3126)<br>SEITZ, VAN OGTROP & GREEN, P.A.<br>222 Delaware Avenue, Ste. 1500<br>Wilmington, DE 19899<br>Telephone: (302) 888-0600<br>Facsimile: (302) 888-0606<br><i>Attorneys for Defendants</i><br><br>Dated: May 21, 2008 |
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SO ORDERED this \_\_\_\_\_ day of May, 2008.

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HON. LEONARD P. STARK  
UNITED STATES MAGISTRATE JUDGE